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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/016,118	12/17/2001	Masahiro Yanagi	1614.1205	4188

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EXAMINER

AWAD, AMR A

ART UNIT	PAPER NUMBER
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2675

DATE MAILED: 07/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/016,118	YANAGI, MASAHIRO	
	Examiner	Art Unit	
	Amr Awad	2675	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11/01/04.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 6-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 6-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ✓ 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claim 21 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The claim recites, "a first detachable upper cover having an antenna arranged so as to surround a center portion of the upper cover is swappable with a second upper cover having an antenna arranged so as to surround a depressible keytop in upper cover."

This limitation is not described in the specification.

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 21 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claim recites, "a first detachable upper cover having an antenna arranged so as to surround a center portion of the upper cover is swappable with a second upper cover having an antenna arranged so as to surround a depressible keytop in upper cover." This limitation is not clear to the examiner.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-3, 6 and 11-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schneider et al. (6,356,243; hereinafter referred to as Schneider) in view of Tokura (Japanese patent Publication NO. 08-76918; an English translation of the abstract is provided herewith).

With regard to claim 1, Schneider teaches an input device (figure 2a, item 210) in that an input part for inputting information is accommodated in a housing there of (column 5, lines 21-28, figure 2a item 215), said input device comprising an antenna arranged at an upper surface inside said housing and emitting a radio wave based on input information generated by said input part (figure 2a clearly shows dotted lines indicating the antenna item 240 inside the housing and column 5, lines 20-65) wherein said housing comprises: a case and an upper cover (figure 2a, item 215 teaches the outer surface of the device with electronics an antenna inside and since there is a solid line running semi vertical on the surface, let left of line be called the cover and right of line be called case and further it is inherent that there would be a means of getting the electronics inside the surface which encloses a volume) wherein said antenna is arranged inside said upper cover at an uppermost portion of the housing (figure 2a

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clearly shows dotted lines indicating the antenna item 240 inside the housing also see column 6, lines 33-42, this language is broad open to multiple interpretations and Schneider clearly shows one such reasonable interpretation of an antenna inside a volume created by the cover), wherein the input device further comprises: a communicating part provided to said case and supplying transmission signal to said antenna, and wherein said antenna is detachably connected to said communicating part by a connector (figure 2b, items 235, 245a and 245b and see column 6, lines 18-32 and further the term "detachably" is viewed broadly because part of the antenna is attached at connection points 245a and 245b by some means such as pressure or solder and in the case of solder, a solder gun would have been simply used to detach it and therefore this reference clearly anticipated the mere functional recitation of the antenna being "detachably").

Schneider does not expressly teach that the antenna is detachable from the case along with a detachable upper cover. That is not possible in Schneider's device because the antenna is not completely connected to the upper cover.

However, Tokura (figure 1) shows a wireless mouse (1) that includes an antenna (4) completely attached to the upper cover of the mouse (1). Therefore, if the antenna (4) were to replace the antenna of Schneider's mouse, then the combination would include an antenna that can be detachable from the case when the upper case is detached.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the teaching of Tokura having the antenna

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(4) completely attached to the upper cover to be incorporated to Schneider's device, so as to have a better reception and transmission by having the antenna exposed to the upper surface.

With regard to claim 2, Schneider teaches the input device as claimed in claim 1, wherein said antenna is made from a conductive wire rod (inherent feature of an antenna because it must conduct a signal).

With regard to claim 3, Schneider teaches the input device as claimed in claim 1, wherein said antenna is formed by printing a conductor on the upper surface inside said housing (See abstract "The first portion and the second portion form an antenna loop. The first portion may be etched on a printed circuit board").

With regard to claim 6, Schneider teaches the input device as claimed in claim 4, wherein said input part is detachably connected to said communicating part by a connector (inherent feature for example the wheel or buttons on this mouse must connect to the communicating part and it is inherent that parts that connect can also be capable of disconnect or disassembly therefore broadly reading on "detachably connected").

With regard to claim 11, Schneider teaches a wireless input device to be manipulated by a user (figure 2a, item 210) and, wherein the input device comprises: a case; an upper cover that is connected to the case to form an inside volume (figure 2a, item 215 teaches the outer surface of the device with electronics an antenna inside and since there is a solid line running semi vertical on the surface, let left of line be called the cover and right of line be called case and further it is inherent that there would be a

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means of getting the electronics inside the surface which encloses a volume) ; and an antenna, which is located at an uppermost portion of the inside volume (figure 2a clearly shows dotted lines indicating the antenna item 240 inside the housing and column 5, lines 20-65), to wirelessly transmit a radio wave that comprises coordinate data to a receiving unit that is connected to a processing unit connector (figure 2b, items 235, and figure 1a , items 130 and 110 and figure 1b item 110).

Schneider does not expressly teach that the antenna is detachable from the case along with a detachable upper cover. That is not possible in Schneider's device because the antenna is not completely connected to the upper cover.

However, Tokura (figure 1) shows a wireless mouse (1) that includes an antenna (4) completely attached to the upper cover of the mouse (1). Therefore, if the antenna (4) were to replace the antenna of Schneider's mouse, then the combination would include an antenna that can be detachable from the case when the upper case is detached.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the teaching of Tokura having the antenna (4) completely attached to the upper cover to be incorporated to Schneider's device, so as to have a better reception and transmission by having the antenna exposed to the upper surface.

With regard to claim 12, Schneider teaches the wireless input device of claim 11, further comprising: a radio transmitting circuit board that is contained within the inside volume (figure 2b, item 235), wherein the antenna is a conductive wire rod that is

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connected to the radio transmitting circuit board at only one end of the conductive wire rod (figure 2b, items 245a and 245b, inherent feature of an antenna because it must conduct a signal).

With regard to claim 13, Schneider teaches the wireless input device of claim 11, wherein the antenna is formed by a printed wiring method on an underside of the upper cover (See abstract "The first portion and the second portion form an antenna loop. The first portion may be etched on a printed circuit board" column 6, lines 32-42 which reads on this broad language of being on the underside of the upper cover see figure 2a , items 215 and 220).

With regard to dependent claims 7-10 which all depend on claim 1 Schneider does not illustrate the detail of a specific common standard wireless transmitting techniques "USED" such as Amplitude Shift Keying (ASK), Frequency Shift Keying (FSK), Phase Shift Keying (PSK) and Spread Spectrum Communication (SSC) however since he does perform a wireless transmission it is clear he must use some modulation technique and the specific transmitting technique used is clearly not critical to the practice of either Schneider or Applicant. Therefore it would have been obvious to one of ordinary skill in the art at the time of invention was made to use any common standard wireless modulation techniques, because Schneider gave no indication that the particular common standard wireless modulation technique use would be critical to practice of his invention and again one is always motivated to use standard excepted practices where ever details are missing when implementing the Schneider invention.

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As to claim 14, as can be seen in figure 1C, Tokura shows screws that connect the top and the bottom parts.

As to claims 15-16, both Schneider and Tokura fairly show that the antenna is arranged so as to surround a center portion of the upper cover (by the depressible keys).

As to claim 17, as can be seen in figure 1C, Tokura shows screws that connect the top and the bottom parts.

As to claim 18-19, both Schneider and Tokura fairly show that the antenna is arranged so as to surround a center portion of the upper cover (by the depressible keys).

As to claims 20-22, the claim is substantially similar to the claims 11 and 14-15, and would be analyzed as previously discussed with respect to these claim, be considering that the second detachable cover is the one of the portions of the upper cover in figure 1 of Tokura, which reads on claim 21.

Response to Arguments

7. Applicant's arguments with respect to claims 1-3, 6-22 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amr Awad whose telephone number is (571) 272-7764. The examiner can normally be reached on Monday through Friday from 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sumati Lefkowitz can be reached on (571)272-3638. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A. A.

**AMR A. AWAD
PRIMARY EXAMINER**

A handwritten signature in black ink, appearing to read "Amr A. Awad", with a long, sweeping horizontal line extending to the right.